

# **SERVICE PLAN CITY OF BULVERDE, TEXAS**

## **SERVICE PLAN FOR ANNEXATION OF APPROXIMATELY 0.161 SQUARE MILES OF LAND GENERALLY LOCATED IN THE GENERAL VICINITY OF US HWY 281 SOUTH OF THE CURRENT CITY LIMITS LINE AT A POINT APPROXIMATELY 6,000 FEET SOUTH OF THE INTERSECTION OF US HWY 281 AND STATE HWY 46, AND NORTH OF THE CURRENT CITY LIMITS LINE AT A POINT APPROXIMATELY 1,050 FEET NORTH OF THE INTERSECTION OF US HWY 281 AND CASEY RD September 2015**

This service plan shall be valid for ten (10) years from and after the effective date of the annexation ordinance annexing this specific land, all of which is lying within the City's Extraterritorial Jurisdiction (ETJ); legal description of said property described by metes and bounds attached as Exhibit A and all property incorporated herein by reference, is hereby added and annexed to the City of Bulverde, Texas and said territory as described shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City, at the various points contiguous to the area described by metes and bounds in Exhibit "A". Renewal of the service plan shall be solely at the discretion of the City of Bulverde.

This service plan is a contractual obligation that is not subject to amendment or repeal except that if the City Council determines at public hearings required by Chapter 43 of the Texas Local Government Code, that changed conditions or subsequent occurrences make this service plan unworkable or obsolete, the City Council may amend the service plan to conform to the change conditions or subsequent occurrences. An amended service plan shall provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the City Council shall provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Chapter 43 of the Texas Local Government Code.

Upon annexation of the area identified above and as more particularly identified in Exhibit A, the City of Bulverde will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

### **SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION**

As used in this plan, the term "services provided" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City with like topography, land use and population density as those found within the newly annexed areas, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable City ordinances.

#### **1. Police Protection**

The City of Bulverde will provide law enforcement services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas.

#### **2. Fire Protection and Emergency Medical Services**

The City of Bulverde does not have a municipal fire department. Fire Protection services are currently provided within the City by the Comal County Emergency Services Districts #4 and #5. The Comal County Emergency Services Districts #4 and #5 will continue to provide fire protection to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Bulverde does not have a municipal Emergency Medical Service (EMS). EMS services are currently provided within the City by the Comal County Emergency Services District #1. The Comal County Emergency Services District #1 will continue to provide EMS services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

### **3. Maintenance of Water and Wastewater Facilities**

All water and wastewater facilities owned or maintained by the City of Bulverde at the time of the proposed annexation shall continue to be maintained by the City of Bulverde. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Bulverde to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Bulverde standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

### **4. Solid Waste Collection**

Solid waste collection services are provided within the City of Bulverde by a solid waste management service provider who holds an exclusive franchise agreement with the City. Solid waste management services will be provided to citizens in the newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. After the second anniversary of the annexation date, the City will prohibit the collection of solid waste in the area by any solid waste management service provider other than the solid waste management provider holding a franchise agreement with the City.

### **5. Maintenance of Roads, Streets and Control Devices**

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association. The City will assume the expenses for operation and maintenance of public streetlights at intersections, dead ends and other locations that conform to the City's policy for placing streetlights. Streetlights, traffic control devices and street name signs will be maintained by the City.

### **6. Maintenance of Parks, Playgrounds, and Swimming Pools**

The City of Bulverde, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

### **7. Maintenance of any Publicly owned Facility, Building or Municipal Service**

The City of Bulverde, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

## **8. Other Services**

The City of Bulverde, Texas finds and determines that such services as planning, code enforcement, animal control, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service currently being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

## **CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS**

### **1. Police and Fire Protection and Solid Waste Collection**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

### **2. Water and Wastewater Facilities**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing Water and Wastewater services. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

### **3. Roads and Streets**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

### **4. Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

## **SPECIFIC FINDINGS**

The City of Bulverde, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

**TERMS**

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the sole discretion of the City of Bulverde.

**LEVEL OF SERVICE**

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

**AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

**PHASE 9**  
**FIELD NOTE DESCRIPTION**  
**OF APPROXIMATELY 0.161 SQUARE MILES**  
**FOR POLITICAL BOUNDARY PURPOSES**

BEING AN APPROXIMATELY 0.161 SQUARE MILE TRACT OF LAND SITUATED IN COMAL COUNTY, TEXAS, SAID 0.161 SQUARE MILE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING**, IN THE EXISTING BULVERDE CITY LIMIT LINE, BEING THE NORTHEASTERLY CORNER OF LOT 11, BULVERDE RANCHETTES 6, SAME BEING THE NORTHWESTERLY CORNER OF LOT 2, BULVERDE RANCHETTES 5, ALSO BEING THE SOUTHERLY LINE OF LOT 18, ELM VALLEY 2, FOR THE NORTHWESTERLY CORNER HEREOF;

THENCE, IN AN EASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, BEING ALONG THE COMMON BOUNDARY LINE OF SAID LOT 18 AND SAID LOT 2, AN APPROXIMATE DISTANCE OF 620 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 NORTH, BEING THE COMMON EASTERLY CORNER OF SAID LOT 18 AND SAID LOT 2;

THENCE, IN AN EASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ACROSS U.S. HIGHWAY 281 NORTH, AN APPROXIMATE DISTANCE OF 229 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 NORTH, BEING THE SOUTHWESTERLY CORNER OF LOT 1, HIGHLANDS COMMERCIAL SITE, SAME BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 11.498 ACRE TRACT CONVEYED TO FRIEDHELM AND NINA STRUCHTRUP;

THENCE, IN AN EASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ALONG THE COMMON BOUNDARY LINE OF SAID 11.498 ACRE TRACT WITH SAID LOT 1 AND LOTS 23 AND 24, THE HIGHLANDS, AN APPROXIMATE DISTANCE OF 447 FEET, FOR THE NORTHEASTERLY CORNER HEREOF;

THENCE, IN A SOUTHERLY DIRECTION, ALONG A PORTION OF THE EXISTING BULVERDE CITY LIMIT LINE, BEING ALONG THE EASTERLY LINES OF THE FOLLOWING TRACTS: SAID 11.498 ACRE TRACT, THAT CERTAIN 5.7 ACRE TRACT CONVEYED TO VALDIS AND SUSAN A. DUNIS, THAT CERTAIN 9.83 ACRE TRACT CONVEYED TO H.L. CHAPMAN INVESTMENTS LTD., THAT CERTAIN 9.288 ACRE TRACT CONVEYED TO H. L. CHAPMAN INVESTMENTS LTD., AND THAT CERTAIN 39.891 ACRE TRACT CONVEYED TO HAROLD W. AND PATRICIA I. SPROWL, AN APPROXIMATE DISTANCE OF 3,374 FEET TO THE SOUTHEASTERLY CORNER OF SAID 39.891 ACRE TRACT, FOR THE SOUTHEASTERLY CORNER HEREOF;

THENCE, IN A WESTERLY DIRECTION, ALONG A PORTION OF THE SOUTHERLY LINE OF SAID 39.891 ACRE TRACT, AN APPROXIMATE DISTANCE OF 1,167 FEET

TO A POINT IN THE EXISTING BULVERDE CITY LIMIT LINE, FOR THE SOUTHWESTERLY CORNER HEREOF;

THENCE, IN A NORTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, INTO AND ACROSS SAID 39.891 ACRE TRACT AND SAID 9.288 ACRE TRACT, AN APPROXIMATE DISTANCE OF 1,534 FEET TO A POINT;

THENCE, IN A NORTHWESTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ACROSS SAID 9.288 ACRE TRACT AND THAT CERTAIN 1.26 ACRE TRACT CONVEYED TO H.L. CHAPMAN INVESTMENTS LTD., AN APPROXIMATE DISTANCE OF 353 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 NORTH;

THENCE, IN A NORTHWESTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ACROSS U.S. HIGHWAY 281 NORTH, AN APPROXIMATE DISTANCE OF 230 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 NORTH, BEING A POINT IN THE EASTERLY LINE OF THAT CERTAIN LOT 1, BULVERDE RANCHETTES 4;

THENCE, IN A NORTHWESTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ACROSS SAID LOT 1, AN APPROXIMATE DISTANCE OF 197 FEET TO POINT;

THENCE, IN A SOUTHWESTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ACROSS SAID LOT 1, AN APPROXIMATE DISTANCE OF 297 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 1;

THENCE, IN A NORTHWESTERLY DIRECTION, LEAVING THE EXISTING BULVERDE CITY LIMIT LINE, ALONG THE SOUTHERLY LINE OF SAID LOT 1, AN APPROXIMATE DISTANCE OF 228 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 1;

THENCE, IN A NORTHEASTERLY DIRECTION, ALONG THE WESTERLY LINES OF LOT 4, BULVERDE RANCHETTES 4, AND THE WESTERLY LINES OF LOT 1 AND LOT 2, BULVERDE RANCHETTES 5, AN APPROXIMATE DISTANCE OF 1,987 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF APPROXIMATELY 0.161 SQUARE MILES OF LAND, MORE OR LESS;

**POLITICAL BOUNDARY ANNEXATION  
TO CITY OF BULVERDE  
PHASE-9 EXHIBIT**

